

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 8TH NOVEMBER 2006 / 17TH KARTHIKA 1928

Bail Appl..No. 6529 of 2006

CRIME NO.683/2006 OF KOYILANDY POLICE STATION

: PETITIONERS/ACCUSED

1. PAROTH DAMODARAN,
AGED 60 YEARS, S/O.KELAPPAN NAIR,
MOOKAMBIKAKRIPA MUCHUKUNNU,
MOODADI AMSOM.
2. SULESH, AGED 27 YEARS,
S/O.SOMAN NAMBIAR,
SUMALATH HOUSE, MUCHUKUNNU,
MOODADI AMSOM.
3. BALAKRISHNAN, AGED 37 YEARS,
S/O.GOVINDAN, NELLIMADATHIL HOUSE,
MUCHUKUNNU, MOODADI AMSOM.
4. KARUNAN, AGED 42 YEARS,
S/O.CHEKKOTTI, KOROTH HOUSE,
MUCHUKUNNU, MOODADI AMSOM.
5. PARAVATH DHANESH,
AGED 26 YEARS, S/O.DAMODARAN,
MOOKAMBIKAKRIPA, MUCHUKUNNU,
MOODADI AMSOM.

BY ADV. SRI.P.R.SREEJITH

RESPONDENTS: COMPLAINANT AND STATE

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08/11/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. 6529/2006

DATED THIS THE 8TH DAY OF NOVEMBER, 2006

O R D E R

The petitioners are accused Nos. 3, 4, 6, 7 and 11 in crime No.683/2006 of Koyilandy Police Station, for the offence punishable under Sections 143, 147, 148, 324 and 307 IPC read with Section 149 IPC. Hence this application under Section 439 Cr.P.C., as they remain in judicial custody.

2. The prosecution alleges that on 8.10.2006, because of the political rivalry between the group of the petitioners and the opposite political group, they had attacked each other. It is also submitted that there are case registered against both the groups. The further submission of the prosecution is that tension is still prevalent in the locality of the petitioner and if the petitioner is allowed to enter the Sessions Division of Kozhikode, it would affect the law and order situation in the area.

3. In the above facts situation, I grant bail and release the petitioners from jail, subject to the following conditions:-

(a). Each petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Koyilandy.

(b). Immediately on release, the petitioners shall report before the S.H.O of Koyilandy Police Station, and from there they shall proceed out of the Sessions Division of Kozhikode.

(c). The petitioners shall not enter the Sessions Division of Kozhikode, for a period of three months, except for reporting to the Court(s) below, to attend the proceedings of the Court

(d). On completion of the above period of three months, they may return to their residence and report before the Investigating Officer of Koyilandy Police

Station, on the first working day of every month between 10.00 a.m and 11.00 a.m., till the completion of the trial and final disposal of the Sessions Case.

The application is allowed as above.

**J.M.JAMES
JUDGE**

mrCS